

08/28/03  
16569 U.S.  
PTO

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**CERTIFICATE OF EXPRESS MAILING**

Attorney Docket No.: ABE1P003

First Named Inventor:

John R. Abe

Transmittal and the documents and/or fees itemized hereon and attached hereto have been deposited as "Express Mail Post Office to Addressee" in accordance with 37 CFR §1.10 with Mailing Label

Number **EL967945979US.**

03916 U.S. PTO  
10/652640  
08/28/03

**UTILITY PATENT APPLICATION TRANSMITTAL (37 CFR. § 1.53(b))**  
(Continuation, Divisional or Continuation-in-part application)

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

☐ Duplicate for  
fee processing

Sir: This is a request for filing a patent application under 37 CFR. § 1.53(b) in the name of inventors:  
John R. Abe

For: A METHOD FOR SIMULATING AN OPTIMIZED SUPPLIER IN A MARKET

This application is a ☐ Continuation ☐ Divisional ☒ Continuation-in-part  
of prior Application Nos.: Unknown both filed August 19, 2003, from which priority under 35 U.S.C. §120 is  
claimed.

**Application Elements:**

- ☒ 53 Pages of Specification, Claims and Abstract
- ☒ 70 Sheets of Drawings
- ☒ 02 Combined Declaration and Power of Attorney
- ☐ Copy from a prior application (37 CFR 1.63(d) for a continuation or divisional). The entire disclosure of the prior application from which a copy of the declaration is herein supplied is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

**Accompanying Application Parts:**

- ☐ Assignment and Assignment Recordation Cover Sheet (recording fee of \$40.00 enclosed)
- ☐ 37 CFR 3.73(b) Statement by Assignee
- ☐ Information Disclosure Statement with Form PTO-1449 ☐ Copies of IDS Citations
- ☐ Preliminary Amendment (*New claims numbered after highest original claim in prior application.*)
- ☒ Return Receipt Postcard
- ☒ Small Entity Statement(s) ☒ Statement filed in prior application. Status still proper and desired.
- ☒ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i)
- ☐ Other:

Amendments

☒ Amend the specification by inserting before the first line the sentence: "This is a

☐ Continuation  
application of copending prior

☒ Continuation-in-part

☐ Divisional

☒ Prior U.S. Application(s)

Unknown	08/19/2003	Pending	SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR THE
(App. Serial No.)	(Filing Date)	(Status)	OPTIMIZATION OF PRICE TO SATISFY CERTAIN BUSINESS OBJECTIV
			(Title)
Unknown	08/19/2003	Pending	CONTINUOUS PRICE OPTIMIZATION SYSTEM, METHOD AND COMPUT
(App. Serial No.)	(Filing Date)	(Status)	PROGRAM PRODUCT FOR SATISFYING CERTAIN BUSINESS OBJECTIV
			(Title)

the disclosures of which is incorporated herein by reference."

Fee Calculation (37 CFR § 1.16)

	(Col. 1)	(Col. 2)	SMALL ENTITY	OR	LARGE ENTITY		
	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE	
BASIC FEE			\$375	\$375	OR	\$750	\$
TOTAL CLAIMS	18 -20 =	02	x09 =	\$0	OR	x18 =	\$
INDEP CLAIMS	03 -03 =	03	x42 =	\$0	OR	x84 =	\$
[.] Multiple Dependent Claim Presented			\$140 =	\$0	OR	\$280 =	\$
* If the difference in Col. 1 is less			Total	\$375	OR	Total	\$
than zero, enter "0" in Col. 2.							

☒ Check No. 8739 in the amount of \$375.00 is enclosed.

☒ The Commissioner is authorized to charge any fees beyond the amount enclosed which may be required, or to credit any overpayment, to Deposit Account No. 50-1351 (Order No. ABE1P003).

General Authorization for Petition for Extension of Time (37 CFR §1.136)

☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 50-1351 (Order No. ABE1P003).

☒ Please send correspondence to the following address:

Silicon Valley IP Group, PC  
P. O. Box 721120  
San Jose, California 95172-1120  
(408) 971-2573

**\*28875\***  
28875

Customer No.: U.S. Patent & Trademark Office

Date:

8/28/03

Kevin J. Zilka  
Registration No. 41,429

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	John R. Abe
	Title	A Method for Simulating An Optimized Supplier in a Market
	Atty Docket Number	ABE1P003

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

8/28/03

Date

Signature

Kevin J. Zilka (Reg. No. 41,429)

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.